

UNITED STATES DISTRICT COURT

for the
Western District of Oklahoma

FILED

MAR 24 2022

CARMELITA REEDER SHINN, CLERK
U.S. DIST. COURT, WESTERN DIST. OKLA.
BY: Carmelita Shinn, DEPUTYIn the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)PERSON KNOWN AS TERRENCE JAMAL SHAW
Detained at Oklahoma County Jail, Oklahoma City, OKCase No. M-22- 222 -P

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

Terrence Jamal Shaw, black male, DOB xx-xx-1989, SSN: xxx-xx-6205

located in the Western District of Oklahoma, there is now concealed (identify the person or describe the property to be seized):

DNA sample in the form of a buccal swab on the inside of the cheeks of Terrence Jamal Shaw's mouth.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
- ☐ contraband, fruits of crime, or other items illegally possessed;
- ☐ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section
18 U.S.C. § 751(a)Offense Description
Interference with Commerce by Robbery

The application is based on these facts:

See attached Affidavit of Special Agent Brenden Taylor, Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), which is incorporated by reference herein.

☒ Continued on the attached sheet.☐ Delayed notice of days (give exact ending date if more than 30 days:) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

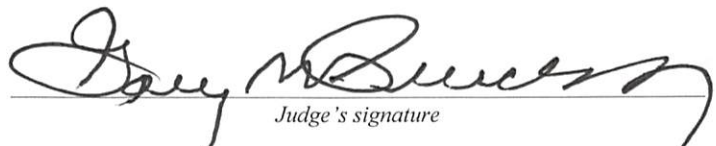
Applicant's signature

Brenden Taylor, Special Agent ATF

Printed name and title

Sworn to before me and signed in my presence.

Date:

3/24/22City and state: Oklahoma City, Oklahoma

Judge's signature

GARY M. PURCELL, United States Magistrate Judge

Printed name and title

**UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

**AFFIDAVIT IN SUPPORT OF
AN APPLICATION FOR A SEARCH WARRANT**

I, Agent Brenden Taylor, being duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), a Division of the United States Department of Justice, having been so employed since November 2015. I am a graduate of the Department of Homeland Security's Criminal Investigator Training program as well as the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) Special Agent Basic Training Program. As a Special Agent with ATF, I am vested with the authority to investigate violations of Federal laws including Title 18, Title 21 and Title 26 of the United States Code.

2. Since this affidavit is being submitted for the limited purpose of securing a search warrant, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that evidence linked to the violation of Title 18, United States Code, Section 1951 (Hobbs Act Robbery) is presently within the person of Terrence SHAW. This affidavit is in support of a search warrant which seeks authorization to obtain a buccal swab sample for DNA purposes from the person of SHAW, who is more particularly described below, for evidence related to the aforementioned crime.

PROBABLE CAUSE

3. The information contained in this affidavit is submitted for the limited purpose of establishing probable cause to secure a search warrant for the person of Terrence Jamal SHAW, to obtain a deoxyribonucleic acid (DNA) sample from SHAW. This DNA sample is necessary for comparison to a gas mask found near the scene of the robbery of Little Caesars Pizza in Bethany, Oklahoma on or about July 27, 2021. As further outlined below, there is probable cause to believe SHAW possessed and wore this gas mask on or about July 27, 2021, during the commission of this robbery.

4. Based on my training and experience, I am aware that deoxyribonucleic acid (DNA) is a component of human blood, saliva, tissue, and other bodily fluid. Each person has a unique DNA “profile” based on his or her genetic makeup, and that each person’s DNA profile is statistically unique to him or her. I know that criminals may leave DNA evidence behind at crime scenes or on pieces of evidence in the form of blood, sweat, hair and skin cells when handling items during the commission of a crime. Oral DNA swabs, known as buccal swabs, are commonly used to obtain skin and saliva samples that can be used to identify an individual’s DNA profile. Obtaining such samples requires no medical training or experience, and it involves briefly scraping the buccal swab against the inside of the subject’s mouth. Buccal swabs are frequently used by law enforcement officers to obtain DNA, which can then be provided to forensic laboratories for comparison testing to items found at crime scenes or to evidence. Federal and state courts routinely allow DNA evidence to be admitted as a means of linking evidence to a specific individual.

5. For the aforementioned reasons, I am aware that DNA evidence can be left on an object such as a gas mask, in particular because a gas mask is worn tight against the face. DNA evidence could also be left on the gas mask during normal handling of it. In order to conduct a comparison with the unknown forensic sample obtained from the gas mask in this case, a known sample in the form of a buccal swab of SHAW's DNA must be obtained.

6. As stated above, I know DNA can be collected in a relatively unobtrusive manner by utilizing a buccal swab to obtain a saliva sample from the inside of a subject's mouth. If authorized by Court Order, I intend to use a buccal swab, from a forensic DNA sample collection kit, to obtain a DNA sample from SHAW for comparison purposes.

FACTS SUPPORTING PROBABLE CAUSE

7. On July 27, 2021, at approximately 0245 hours, Bethany Police officers responded to a robbery at the Little Caesar's Pizza, 2212 North Rockwell Avenue, Bethany, Oklahoma. Upon arrival, officers spoke with the night manager, Y.P., who was the only employee in the restaurant during the robbery. Y.P. stated that a black male, dressed in a blue robe with a gas mask covering his face, carrying a rifle, had shot out the front glass door/window, entered the store, and demanded money. Y.P. opened the safe for the suspect, who took cash and coins, and left carrying a white Little Caesar's bag. Officers located spent .22 LR caliber casings on scene, and observed bullet defects inside the business.

8. Officers were able to view surveillance footage from Little Caesars, and determined that the suspect had left on foot, traveling northbound. Other officers then found a trail of money, as well as a discarded blue robe and gas mask. Officers preserved

the blue robe and gas mask in evidence. Officers followed the money trail further to the Jasper Gardens apartments, and eventually to building 2524 North Rockwell Avenue, Apartment #225. Witnesses and responding officers were able to identify the suspect from the video as Terrence SHAW. Responding officers were able to confirm that SHAW lived at Apartment #225.

9. Bethany Police obtained a search warrant for Apartment #225, and served it on July 27, 2021. Inside, officers located clothing (specifically a tshirt with the words “gangsta wrapper” on it) and shoes that matched those worn by the suspect in the Little Caesars surveillance video; a white Little Caesar’s bag; .22 LR caliber ammunition; and items of dominion and control and an Oklahoma identification card for Terrence SHAW.

10. SHAW is described as a black male, approximately 5’07” tall, weighing 152 pounds. SHAW has the following identifiers: DOB: XX/XX/1989, SSN: XXX-XX-6205. SHAW is currently incarcerated in the Oklahoma County Jail.

11. Based on the aforementioned facts, your affiant respectfully submits that there is probable cause to believe that SHAW unlawfully obstructed, delayed and affected, and attempted to obstruct, delay and affect, commerce as that term is defined in Title 18 United States Code, Section 1951, and the movement of articles and commodities in such commerce by robbery as that term is defined in Title 18, United States Code, Section 1951, in that SHAW unlawfully took and obtained personal property consisting of proceeds from commercial sales from the person and in the presence of Y.P., an employee of Little Caesar’s Pizza, located at 2212 N. Rockwell Avenue, Bethany, Oklahoma, against her will by means of actual and threatened force, violence, and fear of injury, immediate and future,

to their person, that is, SHAW possessed, brandished, and discharged a firearm during the course of a robbery.

12. Further, there is probable cause to believe that a search of SHAW's person to obtain a DNA sample will yield evidence linking SHAW to the recovered gas mask and this crime. Your affiant, therefore, respectfully requests that a search warrant be issued authorizing the search of the person of SHAW to obtain a buccal swab DNA sample, as this evidence is necessary for the completion of the investigation, and for comparison to forensic evidence obtained from the aforementioned firearm seized from SHAW's vehicle.

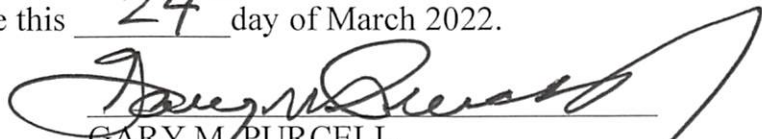
13. The buccal swabs for skin cells within the mouth of SHAW (DNA) will be taken by trained personnel in accordance with standard ATF protocols, which govern the collection of such evidence. Representative samples of the collected evidence will be set aside and held by the ATF for use by SHAW's counsel should he/she decide that independent forensic testing is necessary.

Respectfully submitted,



Brenden Taylor
SPECIAL AGENT
Bureau of Alcohol, Tobacco, Firearms and
Explosives

Subscribed and Sworn to before me this 24th day of March 2022.



GARY M. PURCELL
UNITED STATES MAGISTRATE JUDGE